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By: **Washington County Delegation**

Introduced and read first time: February 2, 2004

Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Washington County - Deputy State's Attorneys**

3 FOR the purpose of requiring the State's Attorney to appoint a certain number of  
4 deputy State's Attorneys in Washington County; and generally relating to  
5 deputy State's Attorneys in Washington County.

6 BY repealing and reenacting, with amendments,  
7 Article 10 - Legal Officials  
8 Section 40(v)  
9 Annotated Code of Maryland  
10 (2001 Replacement Volume and 2003 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article 10 - Legal Officials**

14 40.

15 (v) In Washington County,

16 (1) The State's Attorney's salary shall be 90 percent of the salary of a  
17 judge of the District Court of Maryland.

18 (2) The State's Attorney shall appoint [a] TWO deputy State's  
19 [Attorney] ATTORNEYS, whose [salary is] SALARIES ARE to be determined by the  
20 County Commissioners.

21 (3) The State's Attorney shall appoint the number of assistant State's  
22 Attorneys approved by the County Commissioners and provided for in the  
23 Washington County budget. The salaries of the assistant State's Attorneys are to be  
24 determined by the County Commissioners.

25 (4) The deputy State's [Attorney] ATTORNEYS and the assistant State's  
26 Attorneys shall serve at the pleasure of the State's Attorney. Under the direction of  
27 the State's Attorney or in the absence of the State's Attorney, the deputy State's

1 [Attorney] ATTORNEYS and the assistant State's Attorneys shall perform acts and  
2 duties in relation to all criminal proceedings, all having the same legal powers as the  
3 State's Attorney, to represent the State in all proceedings in relation to grand jury,  
4 circuit court, the District Court, boards, commissions or agencies of this State or any  
5 county or political subdivision.

6 (5) The State's Attorney may not engage in the private practice of law at  
7 any time in any jurisdiction during his tenure of office.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
9 October 1, 2004.